

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**ALLIANCE FOR HIPPOCRATIC MEDICINE,**  
on behalf of itself, its member organizations, their  
members, and these members' patients, et al.,

Plaintiff,

v.

**U.S. FOOD AND DRUG ADMINISTRATION,**  
et al.

Defendants

**CASE No. 2:22-cv-00223-Z**

**UNOPPOSED MOTION OF ETHICS AND PUBLIC POLICY CENTER  
FOR LEAVE TO FILE A BRIEF AS *AMICUS CURIAE*  
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION  
AND BRIEF IN SUPPORT THEREOF**

Pursuant to Federal Rule of Civil Procedure 7 and this Court's local civil rule 7.1, movant Ethics and Public Policy Center ("EPPC") respectfully seeks this Court's leave to file the accompanying brief as an amicus curiae in support of plaintiffs' motion for preliminary injunction (ECF #6). With respect to Local Rule 7.1(a) and (b), movant's counsel have been informed by plaintiffs' counsel that plaintiffs and defendants have mutually consented to the filing of amicus briefs and related motions on or before February 10, 2023. On that basis, movant's counsel attach a Certificate of Conference stating that defendants do not oppose this motion. A proposed Order is also submitted with this motion. Oral argument is not requested.<sup>1</sup>

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<sup>1</sup> Consistent with FED. R. APP. P. 29(a)(4)(E), counsel for amicus authored this brief in whole; no counsel for a party authored this brief in any respect; and no person or entity — other than amicus, its members, and its counsel — contributed monetarily to this brief's preparation or submission.


### IDENTITY AND INTERESTS OF MOVANT


Movant EPPC is a nonprofit research institution that is based in Washington, D.C., and that is dedicated to defending American ideals and to applying the Judeo-Christian moral tradition to issues of public policy. EPPC works to promote a culture of life in law and policy and to defend the dignity of the human being from conception to natural death. EPPC has filed amicus curiae briefs in other cases involving abortion and drugs that might operate as abortifacients, including *Dobbs v. Jackson Women's Health Organization*, 597 U.S. \_\_\_\_ (2022), *Zubik v. Burwell*, 578 U.S. \_\_\_\_ (2016), and *Burwell v. Hobby Lobby Stores*, 573 U.S. 682 (2014).

### REASON TO GRANT MOVANT'S AMICUS CURIAE STATUS

Movant EPPC respectfully submits that its proffered brief will assist the Court on the disputed legal question whether and to what extent federal criminal statutes prohibit sending mifepristone by U.S. mail or by common carrier and bring several relevant matters to the Court's attention. Movant EPPC therefore respectfully requests that this Court grant the motion for leave to file the accompanying amicus curiae brief.

Respectfully submitted,

By:   
M. EDWARD WHELAN III  
DC Bar No. 479530  
Ethics and Public Policy Center  
1730 M Street N.W., Suite 910  
Washington, D.C. 20036  
(202) 682-1200  
ewhelan@eppc.org

  
H. DUSTIN FILLMORE III  
TX Bar No. 06996010  
CHARLES W. FILLMORE  
TX Bar No. 00785861  
The Fillmore Law Firm, LLP  
201 Main Street, Suite 700  
Fort Worth, TX 76102  
(817) 332-2351  
dusty@fillmorelawfirm.com  
chad@fillmorelawfirm.com

ATTORNEYS FOR ETHICS AND PUBLIC POLICY CENTER

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7.1(b), the undersigned counsel has been informed by plaintiffs' counsel that plaintiffs and defendants have mutually consented to the filing of amicus briefs and related motions on or before February 10, 2023. On that basis, movant's counsel certifies that defendants do not oppose this motion.

/s/ Charles W. Fillmore  
CHARLES W. FILLMORE

**CERTIFICATE OF SERVICE**

I certify that this document has been served on all parties via the court's ECF system on this 10th day of February, 2023.

General Counsel Samuel R. Bagenstos  
U.S. Department of Health and Human Services  
200 Independence Ave., S.W., Room 713-F  
Washington, D.C. 20201  
Samuel.Bagenstos@hhs.gov

Isaac Belfer  
U.S. Department of Justice  
Civil Division, Consumer Protection Branch  
950 Pennsylvania Ave., M.W.  
Washington, D.C. 20530  
Isaac.c.belfer@usdoj.gov

Erik C. Baptist, Esq.  
440 First Street, N.W.  
Suite 600  
Washington, D.C. 20001  
ebaptist@ADFLegal.org

/s/ Charles W. Fillmore  
CHARLES W. FILLMORE